

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

THOMAS W. TREFNY,
Plaintiff

v.

HYANNIS HARBOR TOURS, INC.,
Defendant

CIVIL ACTION No. 04-10798-NG

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41, the undersigned parties, constituting collectively 100% of the entities made party to this action, hereby stipulate that all claims between and among them may and ought to be dismissed with prejudice, each party waiving any right of appeal and each party to bear its own costs.

WHEREFORE the parties respectfully call upon the Court to dismiss the instant case in its entirety.

THOMAS W. TREFNY
By his attorneys,

/s/ David Anderson
David Anderson, Esq.
LATTI & ANDERSON LLP
30-31 Union Wharf
Boston, Massachusetts 02109
Tel: (617) 523-1000
Dated: November 30, 2005

HYANNIS HARBOR TOURS, INC.
By its attorneys,

/s/ Michael Rauworth
Michael J. Rauworth, BBO# 547711
CETRULO & CAPONE LLP
World Trade Center East
Two Seaport Lane — 10th Floor
Boston, Massachusetts 02210
Tel: (617) 217-5500; fax: 617-217-5200